

REMARKS

Claims 1-21 are pending. Claim 21 is amended to depend from claim1 and to provide antecedent basis for T-DNA. The amendments do not constitute new matter.

The Examiner has issued a Restriction Requirement identifying three groups of claims:

Group I: claims 1-14, drawn to a method for obtaining a transgenic monocotyledon plant containing a gene;

Group II: claims 15-20, drawn to a transgenic monocotyledon plant, host cell, or vector;
and

Group III: claim 21, drawn to a method for selecting cells for obtaining a transgenic plant comprising a gene of interest.

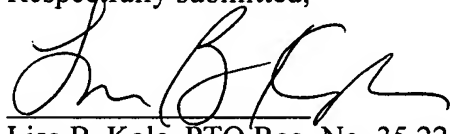
In response, Applicants elect to prosecute the claims of Group I, with traverse.

This election is made without prejudice to the prosecution of subject matter on non-elected claims in other patent applications.

A first basis for traversal is that, in view of the amendment to claim 21, Groups I and III should be considered together as both relate to the same method. Reconsideration of the restriction requirement based on this first grounds for traversal is requested

A second basis for traversal is that because claim 18 relates to a vector as used in claim 1, claim 19 is a host cell comprising said vector, and claim 20 is a plant comprising the expression cassettes recited in claim 1, there would be no additional search burden on the Examiner if these claims were considered with Group I. Reconsideration of the restriction requirement based on this second grounds for traversal is requested.

Respectfully submitted,



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